# Assembly Hearing Slip

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# Assembly Hearing Slip

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Please return this slip to a messenger promptly.
Assembly Sergeant at American

Assembly Sergeant at Arms Room 411 West State Capitol Madison, WI 53702

# Assembly Hearing Slip

Assembly Hearing Slip

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nly) (Please pr	2 Date: 3/27/9	BIII No. Or Or Subject	JAMES JAMES M		Der) (Simple deress or Rough	Mesos diz & Ailo)	(Representing)	Speaking in favor:	Speaking against:	Registering in layor.
(Please print plainly)	Date: 3/27/97	8111 No. 70 55	12. Antruic	(2000)	(Sireel Address or Route Number)	(City & Zip Code)	(Representing)	Speaking <i>in favor</i> :	Speaking against:	Registering in lavor:

Please return this slip to a messenger prompily.

Please return this slip to a messenger prompily.

Assembly Sergeant at Arms Room 411 West

53702

State Capitol Madison, WI 5

Speaking for *information only;* Nelther for nor against;

Registering against:

Speaking for *information only;* Neither for nor against:

Registering against:

 Assembly Sergeant at Arms Room 411 West Madison, WI 53702 State Capitol

							1995 Session
	×	ORIGINAL		UPDATED			No./Adm. Rule No. Bill 35 (-1393/1)
FISCAL ESTIMATE DOA-2048 N(R10/94)		CORRECTED		SUPPLEMENTAL	_		nt No. if Applicable
Subject Purchase of Used Home Furnishi	ngs t	y Antique Deale	rs an	d Recyclers			
Fiscal Effect				<del></del>	· · · · · · · · · · · · · · · · · · ·		
State:   No State Fiscal Effect  Check columns below only if bill make  or affects a sum sufficient appr		• • • •			1		be possible to Absorb et □ Yes □ No
☐ Increase Existing Appropriation☐ Decrease Existing Appropriation☐ Create New Appropriation		☑ Increase Existir ☐ Decrease Exist	-		☐ Decrease	Costs	
LOCal: ☐ No local government cost  1. ☒ Increase Costs ☐ Permissive ☒ Mandator  2. ☐ Decrease Costs ☐ Permissive ☐ Mandator	/ 3	B.	l enues	□ Mandatory	5. Types o  ☑ Towns  ☑ Counties  ☐ School Dis	⊠ Villa □ Othe	
Fund Sources Affected	· ·				h. 20 Appropri		E W 100 Districts
⊠ GPR ☐ FED ☐ PRO ☐  Assumptions Used in Arriving at Fiscal B		☐ SEG ☐ SEG-	S				
the dealer or recycler, used home and other items from a home.  This bill provides that the dealers them. The records must include the and if appropriate or available, infoulding from which the materials of provisions. The penalties are not more than \$3,000 for subsequent of this bill is likely to increase costs of government officials issuing the circles associated with serving the circles associated with serving the costs associated with serving the costs associated with serving the costs imposed.	and rane peormai were less toffens for location nable sitation	ecyclers must ke rson's name and tion on the vehic removed. The bhan \$100 or morses.  cal units of govers to dealers or received. It is not possibns. Also, it is no	ep re add le us ill als e that rnme ecycl le to t pos	ecords on the press, identificated to deliver the so provides per an \$1,000 for the ent. The increasers that do not determine the ssible to determine	erson that s ion such as e materials halties for pe e first offen sed costs w adhere to th number of v ine the tota	ells or giver's and the acople that se, and number ill be a reprovisitions.	ves the materials to solicense number, address of the violate the ot less than \$500 or sult of local ons in this bill. The that will occur or the penalties that will
Long-Range Fiscal Implications					·		
Agency/Prepared by: (Name & Phone No.)		<b>A</b> uthor	ized :	Signature/Telepho	ne No.		Date
Commerce/Louie Cornelius 266-	8629	Ma	úλ	Timeli	•	8629	February 7 1997

#### FISCAL ESTIMATE WORKSHEET 1995 Session Detailed Estimate of Annual Fiscal Effect ☐ UPDATED **⊠** ORIGINAL LRB or Bill No./Adm. Rule No. Amendment No. DOA-2047 (R10/94) CORRECTED SUPPLEMENTAL Senate Bill 35 Subject Purchase of Used Home Furnishings by Antique Dealers and Recyclers One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect): **Annualized Costs:** II. Annualized Fiscal impact on State funds from: **Increased Costs Decreased Costs State Costs by Category** \$ State Operations - Salaries and Fringes (FTE Position Changes) FTE) (-FTE) State Operations - Other Costs Local Assistance Aids to Individuals or Organizations **TOTAL State Costs by Category** \$ \$ State Costs by Source of Funds Increased Costs **Decreased Costs** \$ \$ **GPR FED** PRO/PRS SEG/SEG-S State Revenues -Increased Rev. Decreased Rev. Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.) \$ **GPR Taxes** \$ **GPR Earned FED** PRO/PRS SEG/SEG-S \$ **TOTAL State Revenues NET ANNUALIZED FISCAL IMPACT** STATE LOCAL **NET CHANGE IN COSTS** Indeterminable **NET CHANGE IN REVENUES** Indeterminable

Agency/Prepared by: (Name & Phone No.)
Commerce/Louie Cornelius, 266-8629

Authorized Signature/Telephone No.

Date

266-8629 | F

February 7, 1997



# State of Misconsin

#### **LEGISLATIVE REFERENCE BUREAU**

P. O. BOX 2037 MADISON, WI 53701-2037

LEGAL SECTION: LEGAL FAX:

(608) 266-3561 (608) 264-8522

REFERENCE SECTION: REFERENCE FAX:

(608) 266-0341 (608) 266-5648

ATTY. PETER J. DYKMAN ACTING CHIEF

LAWRENCE S. BARISH DIRECTOR OF REFERENCE AND LIBRARY

### **MEMORANDUM**

To:

Senator Gwendolynne Moore

From:

Mary Gibson-Glass, Senior Staff Counsel

Subject:

1997 Senate Bill 35

Date:

April 8, 1997

In response to your request, I write this memo to inform you that in my opinion, the list of numbers contained in section 134.695 (2) (b) are not cumulative. This is evident by the use of the word "or" instead of the word "and". In other words, an antique dealer or recycler must only obtain one of those numbers form the person selling the used home furnishings. "All of the following" in the introduction means that the antique dealer or recycler must record the information under paragraphs (a), (b), (c) and (d). However, within par. (b) the antique dealer or recycler need only record one of those numbers. To interpret paragraph (b) otherwise would lead to an impossible result. No person could have all of these numbers since no person can have a valid passport number and a valid alien registration card number. Only citizens can have the former, and only noncitizens can have the latter.



April 21, 1997

OF SOUTHEASTERN WISCONSIN, INC.

Dear Assembly Consumer Affairs Committee Member:

CORPORATE OFFICES 6055 NORTH 915T STREET P.O. Box 25919

MILWAUKEE, WI 53225-0919 TEL: 414.353.6400 FAX: 414.353.1544 Tub: 414.353.6860

EMPLOYMENT SERVICES

INDUSTRIAL SERVICES

RETAIL OPERATIONS

LAUNDRY SERVICES

VOCATIONAL EVALUATION

WORKPLACE EDUCATION

VOCATIONAL TRAINING

CASE MANAGEMENT

ADULT DAY CARE

YOUTH SERVICES

CHILD CARE COORDINATION

TRANSPORTATION SERVICES

HOUSING

REUSE/RECYCLING

Senate Bill 35 Re:

Goodwill Industries of Southeastern Wisconsin has reviewed SB-35 to determine what affect the legislation may have on not-for-profit corporations like us, Salvation Army, or St. Vincent DePaul Society, and others.

As you may know, four Goodwill affiliates headquartered in Madison, Milwaukee, Menasha and Marinette operate recycling/reuse programs throughout Wisconsin. Most materials that we receive are donated to us, but on occasion we may purchase items for resale. Materials received are primarily sold in our stores, but we also sell reusable or recyclable materials on the secondary market, many to developing nations.

Our analysis of SB-35 concludes that the bill as written would probably require Goodwill and other not-for-profit organizations to keep new records or other documentation on all donations that might include "used home furnishings", even if we did not pay for these items.

Goodwill Industries understands the purpose of SB-35 and we laud the authors for seeking a remedy to the problems of home furnishings being stolen and then resold. We believe, however, that the language of SB-35 is overly broad and may include not-for-profit organizations that are not part of the problem. We therefore ask that the Assembly Committee on Consumer Affairs adopt an amendment to SB-35 that would make it clear that not-for-profit corporations are not covered by this legislation.

If you have any questions or wish to discuss this matter, please give me a call at 1-800-236-2494, or locally in the Milwaukee area at 353-6400. Joe Strohl, our government relations consultant is also available in Madison at 608-251-9605.

Your consideration and support for this amendment will be greatly appreciated.

Sincerely,

Vickie L. Volpano

Senior Vice Presiden

Victie 1. Vol

**Retail Operations** 

VLV/jw

c: Senator Gwen Moore

Representative Antonio Riley

GOODWILL INDUSTRIES INTERNATIONAL, INC.

#### April 17, 1997

Senator Gwen Moore PO Box 7882 Madison, WI 53707

Dear Senator Moore:

I have been asked by Goodwill Industries of Southeastern Wisconsin to review SB-35 to determine what affect it might have on nonprofit corporations like Goodwill or St. Vincent De Paul.

My analysis concludes that the bill as written would probably require that Goodwill and St. Vincent keep the new records on all their donations that might include "used home furnishings" even if they did not pay for these items. That is due to the bill using the word "receive".

Even without the word "receive", Goodwill and St. Vincent might need to keep these new records since on occasion they might actually pay something for an item.

I can understand the need for this legislation. However, I don't believe the problem that you are trying to solve involves nonprofit groups like Goodwill or St. Vincents.

I therefore would like to ask that you consider an amendment that would make it clear that nonprofit groups are not included in the definition of either "antique dealer" nor "recycler".

If this would be agreeable to you, I would be glad to work with the bill drafter, the Assembly Consumer Affairs Committee, and the full Assembly to see that this does not delay the bill.

Please let me know what you think.

Sincerely,

Joe Strohl

CC: Rep. Antonio Riley
Rep. Cliff Otte
Vickie Volpano, Goodwill Industries

#### 1997 - 1998 LEGISLATURE

#### **1997 SENATE BILL 35**

January 29, 1997 - Introduced by Senators Moore and Huelsman, cosponsored by Representatives Riley, Morris-Tatum, Krug, Bock, Notestein, Boyle, Freese, Otte, Olsen and Dobyns. Referred to Committee on Economic Development, Housing and Government Operations.

Pg1Ln1 Pg1Ln2 An Act to create 134.695 of the statutes; relating to: the purchase of used home furnishings by antique dealers and recyclers and providing a penalty.

#### Analysis by the Legislative Reference Bureau

**SB35** 

This bill regulates the purchase of used home furnishings by antique dealers and recyclers. The bill provides that no antique dealer or recycler may purchase or receive used home furnishings from a person unless the antique dealer or recycler records the person's name and address, the number printed on certain kinds of personal identification, the registration plate numbers, if any, and other information relating to the motor vehicle, if any, delivering the used home furnishings and, if known by the person, the address of the home or other building from which the used home furnishings were removed. The bill also requires that the antique dealer or recycler maintain a record of this information for a period of not less than one year.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SB35, s. 1

Pg1Ln3

**Section 1.** 134.695 of the statutes is created to read:

SB35, s. 1 - continued

Pg1Ln4

134.695 Antique dealers and recyclers. (1) In this section:

SB35, s. 1 - continued

Pg2Ln1 Pg2Ln2 (a) "Antique dealer" means a person who is engaged in the business of selling or purchasing used home furnishings.

SB35, s. 1 - continued

Pg2Ln3 Pg2Ln4

Pg2Ln5

(b) "Recycler" means a person who is engaged in the business of purchasing used home furnishings for the purpose of collecting, separating, processing and selling the material that was used in manufacturing the used home furnishings.

SB35, s. 1 - continued

Pg2Ln6 Pg2Ln7 (c) "Registration plate" means a plate specified under s. 341.12 or under a similar law of another state.

SB35, s. 1 - continued

Pg2Ln8 Pg2Ln9

Pg2Ln10

Pg2Ln11

(d) "Used home furnishings" means windows, siding, piping, radiators, cabinets, bookcases, doors, light fixtures, wood moldings, bathroom fixtures, bannisters, doorknobs, mantels, staircases or other attached items that are removed from a home or other building.

SB35, s. 1 - continued

Pg2Ln12 Pg2Ln13

Pg2Ln14

(2) No antique dealer or recycler may purchase or receive used home furnishings from a person unless the antique dealer or recycler records all of the following information:

SB35, s. 1 - continued

Pg2Ln15

(a) The person's name and address.

SB35, s. 1 - continued

Pg2Ln16 Pg2Ln17

Pg2Ln18

(b) The person's motor vehicle operator's license number, state identification card number, military identification card number, U.S. passport number or alien registration card number.

SB35, s. 1 - continued

Pg2Ln19 Pg2Ln20

Pg2Ln21

(c) The registration plate numbers, if any, and the color, make, model and year of the motor vehicle, if any, delivering the used home furnishings to the antique dealer or recycler.

SB35, s. 1 - continued

Pg2Ln22 Pg2Ln23 (d) If known by the person, the address of the home or other building from which the used home furnishings were removed.

SB35, s. 1 - continued

Pg3Ln1 Pg3Ln2

Pg3Ln3

(3) An antique dealer or recycler shall maintain a record of the information provided under sub. (2) for not less than one year after the later of the dates on which the antique dealer or recycler purchases or receives the used home furnishings.

SB35, s. 1 - continued

Pg3Ln4 Pg3Ln5 Pg3Ln6 Pg3Ln7 (4) Any person who violates this section shall forfeit not less than \$100 nor more than \$1,000 for the first offense and shall forfeit not less than \$500 nor more than \$3,000 upon conviction for a 2nd or subsequent offense.

(End)



#### WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

One East Main Street, Suite 401; P.O. Box 2536; Madison, WI 53701-2536 Telephone (608) 266-1304 Fax (608) 266-3830

DATE:

May 30, 1997

TO:

REPRESENTATIVE CLIFFORD OTTE, CHAIRPERSON; MEMBERS OF

THE ASSEMBLY COMMITTEE ON CONSUMER AFFAIRS; AND

INTERESTED LEGISLATORS

FROM:

Russ Whitesel, Senior Staff Attorney

SUBJECT:

1997 Senate Bill 35, Relating to the Purchase of Used Home Furnishings by

Antique Dealers and Recyclers and Providing a Penalty

This memorandum describes the provisions of 1997 Senate Bill 35. It also provides a brief legislative history and a description of two amendments adopted by the Assembly Committee on Consumer Affairs.

#### A. LEGISLATIVE HISTORY

Senate Bill 35 was introduced on January 29, 1997 by Senators Moore and Huelsman; cosponsored by Representatives Riley, Morris-Tatum, Krug, Bock, Notestein, Boyle, Freese, Otte, Olsen and Dobyns. The Bill was referred to the Senate Committee on Economic Development, Housing and Government Operations. Following a public hearing, the Bill was reported with the recommendation for passage on February 25, 1997 on a vote of Ayes, 5; Noes, 0.

The Bill was passed in the Senate on a voice vote on February 25, 1997.

Upon receipt in the Assembly, the Bill was referred to the Committee on Consumer Affairs. A public hearing was held by the Consumer Affairs Committee on March 27, 1997. At an executive session held on April 24, 1997, the Committee offered Assembly Amendments 1 and 2. The Committee adopted Assembly Amendment 1 on a vote of Ayes, 7; Noes, 0 and adopted Assembly Amendment 2 on a vote of Ayes, 6; Noes, 1. The Committee recommended concurrence as amended on a vote of Ayes, 5; Noes, 2. The legislation was referred to the Committee on Rules on May 6, 1997.

#### B. PROVISIONS OF ORIGINAL LEGISLATION

Senate Bill 35 regulates the purchase of used home furnishings by antique dealers and recyclers.

Senate Bill 35 provides that no antique dealer or recycler may purchase or receive used home furnishings from a person unless the antique dealer or recycler records the person's name and address, the number printed on certain kinds of personal identification, the registration plate numbers, if any, and other information related to the motor vehicle if any that is used to deliver the used home furnishings. The antique dealer or recycler must also record the address of the home or other building from which the used home furnishings were removed, if known by the person.

Senate Bill 35 also requires that the antique dealer or recycler maintain a record of this information for a period of not less than one year. The Bill provides a penalty for any person who violates the section of a forfeiture of not less than \$100 nor more than \$1,000 for the first offense, and a forfeiture of not less than \$500 nor more than \$3,000 upon conviction for a second or subsequent offense.

#### C. PROVISIONS CONTAINED IN ASSEMBLY AMENDMENT 1

Assembly Amendment 1 makes the following changes in the Senate Bill:

- 1. Requires that no antique dealer or recycler may *knowingly* purchase or receive used home furnishings from a person unless certain information is recorded. [Item 1. of Assembly Amendment 1.]
- 2. Requires the dealer or recycler to also obtain the signature of the person providing the used home furnishings. [Item 2.]
- 3. Clarifies that the information that must be collected relating to the motor vehicle by specifying that the dealer or recycler record *one* of the following identification numbers:
  - a. The person's motor vehicle operator's license number.
  - b. The person's state identification card number.
- c. The person's military identification card number for the person's U.S. passport number.
- d. The person's alien registration card number. The original legislation was not clear as to whether one or all of these identification numbers were required to be collected. [Item 3.]
- 4. Amends the motor vehicle recording requirements in s. 134.695 (2) (c), Stats., of the original Bill. That section, as amended, requires that the antique dealer or recycler record "The registration plate numbers and the color, make, model and year of any motor vehicle delivering

the used home furnishings to the antique dealer or recycler." [See Items 4. and 5. of the Amendment.]

#### D. PROVISIONS OF ASSEMBLY AMENDMENT 2

Assembly Amendment 2 creates an exemption from the Bill for nonprofit organizations. Specifically, exemptions are granted under the definition of antique dealer and recycler for nonprofit organizations. The amendment defines "nonprofit organization" to mean an organization described in section 501 (c) (3) of the Internal Revenue Code which is exempt from federal income tax under section 501 (a) of the Internal Revenue Code. This amendment has the effect of exempting antique dealers and recyclers who are nonprofit organizations from complying with the requirements of the law regarding purchasing and receiving used home furnishings.

If you have any questions regarding this legislation, please feel free to contact me directly at the Legislative Council Staff offices.

RW:rjl:wu;ksm

#### **Assembly**

#### **Record of Committee Proceedings**

#### **Committee on Consumer Affairs**

#### CORRECTED COPY, 5/6/97.

#### Senate Bill 35

Relating to: the purchase of used home furnishings by antique dealers and recyclers and providing a penalty.

By Senators Moore and Huelsman; cosponsored by Representatives Riley, Morris-Tatum, Krug, Bock, Notestein, Boyle, Freese, Otte, Olsen and Dobyns.

March 4, 1997

Referred to committee on Consumer Affairs.

March 27, 1997

#### PUBLIC HEARING HELD

(7)

Present:

Representative Otte, Johnsrud, Ott, M. Lehman,

Urban, Williams and Black.

Absent:

(1) Representative Hasenohrl.

#### Appearances for

- Representative Antonio Riley, 18<sup>th</sup> Assembly District
- Thomas M. Spellman, Milwaukee, self

#### Appearances against

• None

#### Appearances for Information Only

• None.

#### Registrations for

- Senator Joanne Huelsman, 11th Senate District
- Marcus Smith, for the City of Milwaukee

#### Registrations against

• None

#### April 24, 1997

#### **EXECUTIVE SESSION HELD**

Present:

(7) Representatives Otte, Johnsrud, Ott, M.

Lehman, Urban, Williams and Hasenohrl.

Absent:

(1) Representative Black.

Moved by Representative Urban, seconded by Representative Williams that **Assembly Amendment 1** (LRB a0399/1) be recommended for introduction.

INTRODUCTION RECOMMENDED BY UNANIMOUS CONSENT.

Moved by Representative Urban, seconded by Representative Johnsrud that **Assembly Amendment 1** (LRB a0399/1) be recommended for adoption.

Ayes (7) Representatives Otte, Johnsrud, Ott, M. Lehman, Urban, Williams and Hasenohrl.

Noes (0)

Absent: (1) Representative Black.

ADOPTION RECOMMENDED, Ayes 7, Noes 0, Absent 1

Moved by Representative Urban, seconded by Representative Ott that **Assembly Amendment 2** (LRB a0407/1) be recommended for introduction.

INTRODUCTION RECOMMENDED BY UNANIMOUS CONSENT.

Moved by Representative Urban, seconded by Representative Ott that **Assembly Amendment 2** (LRB a0407/1) be recommended for adoption.

Ayes (6) Representatives Otte, Johnsrud, Ott, Urban, Williams and Hasenohrl.

Noes (1) Representative M. Lehman

Absent: (1) Representative Black.

ADOPTION RECOMMEND, Ayes 6, Noes 1, Absent 1

Moved by Representative Williams, seconded by Representative Urban, that **Senate Bill 35**, be concurred in as amended.

Ayes (5) Representatives Otte, Ott, Urban, Williams and Hasenohrl.

Noes (2) Representatives Johnsrud and M. Lehman

Absent: (1) Representative Black.

#### CONCURRENCE RECOMMENDED AS AMENDED, Ayes 5, Noes 2, Absent 1

Daniel A. Young Committee Clerk

#### **Assembly**

#### **Record of Committee Proceedings**

#### **Committee on Consumer Affairs**

#### **CORRECTED COPY, 5/6/97.**

#### Senate Bill 35

Relating to: the purchase of used home furnishings by antique dealers and recyclers and providing a penalty.

By Senators Moore and Huelsman; cosponsored by Representatives Riley, Morris-Tatum, Krug, Bock, Notestein, Boyle, Freese, Otte, Olsen and Dobyns.

March 4, 1997

Referred to committee on Consumer Affairs.

March 27, 1997

#### PUBLIC HEARING HELD

Present:

(7) Representative Otte, Johnsrud, Ott, M. Lehman,

Urban, Williams and Black.

Absent:

(1) Representative Hasenohrl.

#### Appearances for

- Representative Antonio Riley, 18<sup>th</sup> Assembly District
- Thomas M. Spellman, Milwaukee, self

#### Appearances against

None

#### **Appearances for Information Only**

• None.

#### Registrations for

- Senator Joanne Huelsman, 11th Senate District
- Marcus Smith, for the City of Milwaukee

#### Registrations against

• None

#### April 24, 1997

#### **EXECUTIVE SESSION HELD**

Present:

(7) Representatives Otte, Johnsrud, Ott, M.

Lehman, Urban, Williams and Hasenohrl.

Absent:

(1) Representative Black.

Moved by Representative Urban, seconded by Representative Williams that **Assembly Amendment 1** (LRB a0399/1) be recommended for introduction.

INTRODUCTION RECOMMENDED BY UNANIMOUS CONSENT.

Moved by Representative Urban, seconded by Representative Johnsrud that **Assembly Amendment 1** (LRB a0399/1) be recommended for adoption.

Ayes (7) Representatives Otte, Johnsrud, Ott, M. Lehman, Urban, Williams and Hasenohrl.

Noes (0)

Absent: (1) Representative Black.

ADOPTION RECOMMENDED, Ayes 7, Noes 0, Absent 1

Moved by Representative Urban, seconded by Representative Ott that **Assembly Amendment 2** (LRB a0407/1) be recommended for introduction.

INTRODUCTION RECOMMENDED BY UNANIMOUS CONSENT.

Moved by Representative Urban, seconded by Representative Ott that **Assembly Amendment 2** (LRB a0407/1) be recommended for adoption.

Ayes (6) Representatives Otte, Johnsrud, Ott, Urban, Williams and Hasenohrl.

Noes (1) Representative M. Lehman

Absent: (1) Representative Black.

ADOPTION RECOMMEND, Ayes 6, Noes 1, Absent 1

Moved by Representative Williams, seconded by Representative Urban, that **Senate Bill 35**, be concurred in as amended.

Ayes (5) Representatives Otte, Ott, Urban, Williams and Hasenohrl.

Noes (2) Representatives Johnsrud and M. Lehman

Absent: (1) Representative Black.

# CONCURRENCE RECOMMENDED AS AMENDED, Ayes 5, Noes 2 , Absent 1

Daniel A. Young Committee Clerk



#### Industries

OF SOUTHEASTERN WISCONSIN, INC.

April 29, 1997

CORPORATE OFFICES
6055 NORTH 91ST STREET
P.O. BOX 25919
MILWAUKEE, WI 53225-0919
TEL: 414.353.6400
FAX: 414.353.1544

EMPLOYMENT SERVICES

TDD: 414.353.6860

INDUSTRIAL SERVICES

RETAIL OPERATIONS

LAUNDRY SERVICES

VOCATIONAL EVALUATION

WORKPLACE EDUCATION

VOCATIONAL TRAINING

CASE MANAGEMENT

ADULT DAY CARE

YOUTH SERVICES

CHILD CARE COORDINATION

TRANSPORTATION SERVICES

HOUSING

REUSE/RECYCLING

Representative Clifford Otte P. O. Box 8953 Madison, Wisconsin 53708

Dear Representative Otte:

On behalf of Goodwill Industries of Southeastern Wisconsin, I would like to thank you for supporting our position on an amendment of SB-35 that exempts nonprofit organizations like ours from the bill's recordkeeping requirements.

The action last week by the Assembly Committee on Consumer Affairs keeps the intent of the legislation intact while at the same time eliminating the extra requirements for organizations like ours.

Your willingness to listen to our concerns and to support our amendment is greatly appreciated.

If you have any questions regarding our position on SB-35 or any other issue that you think we could be helpful with, please do not hesitate to give us a call.

Sincerely,

Vickie L. Volpano
Senior Vice President
Retail Operations

Vichii L. Volum

VLV/jw



# STATE REPRESENTATIVE ANTONIO R. RILEY

18TH ASSEMBLY DISTRICT

TO:

Members, Assembly Committee on Consumer Affairs

FROM:

State Representative Antonio R. Riley

DATE:

March 26, 1997

RE:

Senate Bill 35, relating to regulating the purchase of used home

furnishings by antique dealers.

(Public hearing scheduled for Thursday, March 27, 1997.)

### Memorandum

The Assembly's Consumer Affairs Committee will hear testimony at the committee's Thursday, March 27 public hearing on Senate Bill 35 relating to regulating the purchase of used home furnishing by antique dealers and recyclers.

As the Assembly author of the bill, I encourage you to review the attached newspaper clippings and the memo from the City of Milwaukee. The articles and the memo concisely summarize the need for the legislation.

Please feel free to contact me should you have any questions. I will be testifying at the public hearing tomorrow.

Thanks.

# # #

#### DEPARTMENT OF ADMINISTRATION

#### Intergovernmental Relations Division City Hall, Room 606

#### MEMORANDUM

DATE:

March 26, 1997

TO:

Assembly Consumer Affairs Committee

FROM:

Patrick Curley

Director

RE:

SB 35

Used Home Furnishings

Soon you will hear testimony on SB 35, a bill which regulates the purchase of used home furnishings by antique dealers and recyclers. The City of Milwaukee supports this important legislation.

SB 35 is a needed response to a growing problem in Milwaukee and other Wisconsin communities with older housing stock. The problem is the trafficking in stolen used/antique home furnishings. Under the bill, no dealer could purchase or receive used home furnishings from an individual unless the dealer records the person's name address and other personal identification information. Additionally, the dealer must maintain a record of this information for one year.

This bill should not be taken as yet another cumbersome intrusion by the government into the workings of the marketplace. Milwaukee has seen incidents where thieves have stripped antique furnishings from abandoned homes and sold them to unsuspecting antique dealers. The safeguards included in SB 35 will help everyone except the people its designed to thwart: thieves who engage in this illegal activity.

On behalf of the Milwaukee Common Council, the Milwaukee Police Department, and the office of Mayor John Norquist, please vote "YES" on SB 35.

UNUSUAL CRIME Aluminum doors are targets

9 homes on 1 block are victimized

By Julio V. Cano of the Journal Sentinel staff

When Pauline Smith returned home from her third-shift job early Tuesday morns ing, she realized something was missing.

It was her front door.

Someone had carefully unhinged the aluminum screen door during the night. In fact, eight other residents of the 2900 block of N. 27th St. soon learned they too had been victims of the door thieves.

"I'm accustomed to opening my screen door to get in and when I got home it was gone," Smith said. "I just can't believe this. It makes me concerned about safety."

Ald. George C. Butler said homes were stripped of aluminum siding routinely in the early spring, but thefts of doors was a new twist.

"This is absolutely driven by people wanting to sell the aluminum now that the price has increased," Butler said. "It's a new low. It's getting worse.

In all, six front screen doors and three side side doors were taken between Monday night and Tuesday morning, police said, calling the incident an uncommon event.

"This is asinine," said Vicki Bingham, a longtime resident of the block. "It just shows they (the thieves) are becoming more bodacious and have no fear."

Bingham called the door thefts "a slap in the face" for

Please see DOORS page 7

DOORS

5/11/95

From page 1

many residents of the block who have been trying to care for their properties and beautify the

"The thieves have no regard for property or the replacement costs," she said. "I think this might be the last straw for some people who may decide to move out."

Smith, who has lived on the block about 15 years, is considering leaving the area as a result of the door theft and damages to a window the home sustained over a week ago.

Several homes on the block have had aluminum siding, window frames or copper pipes

stolen in broad daylight.

Bingham said it's not uncommon to see people walking in broad daylight with garbage carts full of metal that has been taken from homes, Bingham ex-

Several residents, who asked that their names not be printed, speculated the doors and other metal parts are stolen to be sold at area scrap metal yards.

The going rate for a variety of "clean" aluminum products other than cans ranges between 20 and 50 cents per pound, according to several recycling centers and scrap yards in the Milwaukee area. Aluminum products that contain other metals go for much lower prices.

The price has gone up about 5 cents in the last six months

and is near normal levels. Company officials said the price for aluminum frequently fluctuates.

Seventh District police officials have assigned several officers to investigate and check with scrap yards for possible sale of stolen property. In addition, Butler's office, police and scrap yards are cooperating to reduce the purchase of stolen metal parts.

Butler, however, feels thieves should be charged with felonies because the damage and replacement costs to home owners could reach the thousands of

dollars.

"Residents are upset and concerned," Butler said, "Many were sleeping when their doors were stolen. This makes them very nervous."

MILWAUKEE SENTINEL Wednesday, August 25, 1993

# ntique dealers would be required to keep purchase record would targ scavengers

Septinal staff writer BY TOM DAYKIN

from stealing home furnishings, State Sen. Gwendolynne S. dealers to re-Moore began writing legislation uesday that requires antique in an attempt to stop thieves



dors. The bill antique venfrom article

also, requires to pay for the items with checks antique dealers

Moore: Bill stems

cense

record

to help create a paper trail

ing it difficult to anonymously the bill will deter thieves by maksell stolen items. The Milwaukee Democrat said

it at 10% of its value, you ask where he got it, and write down have something to go on." turns out to be stolen, the cops his truck license plate. Then if it carved oak door, offering to sel guy comes in with a beautiful Moore said in a statement. "If a "It's just common sense,"

about thieves who strip mantels recent Milwaukee Sentinel article neighborhoods alive. harder to keep fragile central city thefts not only are costly to north sides. The article said the borhoods on the west and near leaded glass and other furnish-ings in Milwaukee's older neighiomeowners but also make it Moore's bill is a response to a

The article said the stolen goods are sometimes bought by local antique dealers.

suburbs, with devastating consecity housing so beautiful are be-ing stripped off and sold to the dealing. quences for urban neighborinterfere with legitimate antique ings, will deter crime and will not help preserye unique urban build. noods," Moore said. "This bill will "The ornate details that make

mate dealers from buying stolen goods cheaply and underselling the competition," Moore said. "This bill will prevent illegiti-

wouldn't hurt legitimate dealers. preservationist, said Moore's bil waukee design consultant and H. Russell Zimmermann, a Mil-

crooks," Zimmermann said. complain about it except for the "I can't see anyone who would

John Cleary, executive director

of Westside Conservation Cosaid the bill would help do said the bill would help profit group that renovates o some thefts. Westside is a r come familles. homes and sells them to lower

who the fences are. Make the responsible." going," said Cleary. "You ki "You know where the stul

Moore also plans to peti-state legislatures in neighbor anonymously sell their sto merely crossing state borders would prevent thieves fr states to pass similar bills. goods, she said. Ö

melted down as scrap metal. Moore said often buy stolen co quirements for recyclers, w per wire and radiators which The bill will create similar

be introduced in the autumn Moore's proposal probably



# STATE REPRESENTATIVE ANTONIO R. RILEY

18TH ASSEMBLY DISTRICT

TO:

**Assembly Consumer Affairs Committee Members** 

FROM:

State Representative Antonio R. Riley

DATE: RE: Thursday, April 24, 1997

Senate Bill 35

### Memorandum

The Assembly Consumer Affairs committee will today hold an executive session on Senate Bill 35, relating to the purchase of used home furnishings by antique dealers and recyclers.

Discussion at the Thursday, March 27 public hearing for the bill prompted the drafting of two friendly amendments designed to clarify the legal responsibilities of antique dealers and recylcers and to exclude non-profit organizations from the bill's provisions. The two amendments are described in more detail below.

#### **Amendments to Senate Bill 35**

#### LRBa0399/1

This amendment clarifies what information is legally required of antique dealers and recyclers to record from sellers.

The amendment inserts the word "knowingly" at line 12 after the "may" to protect dealers from having to record information about items that people may just drop off at their premises.

The amendment requires the dealer to obtain the sellers' signature—this should provide further protection for the dealer and further aid police in tracking any stolen goods.

The amendment clarifies that dealer are required to record only one of the list of possible manners of identification.

The amendment also clarifies that registration plate numbers must be recorded.

#### LRBa0407/1

In response to the discussion at the public hearing and based on a request from Goodwill Industries of Southeastern Wisconsin, non-profit organizations are exempted from the provisions of this bill.

Mary,

Would you please draft an assembly amendment to SB 35 to reflex the changes moted on the attached copy of page 2 of the bill?

it to me by Tuesday morning, so that of can get copies distributed to the Committee members before the 24th, when we hope to exec. on the bill.

Thanks

DAN YOUNG Comm. Clerk. Assm. Comm. on Consumer Affairs 6-8530

#### BILL

(a) "Antique dealer"	means a person who is engaged in	the business of selling
or purchasing used home	furnishings.	

- (b) "Recycler" means a person who is engaged in the business of purchasing used home furnishings for the purpose of collecting, separating, processing and selling the material that was used in manufacturing the used home furnishings.
- (c) "Registration plate" means a plate specified under s. 341.12 or under a similar law of another state.
- (d) "Used home furnishings" means windows, siding, piping, radiators, cabinets, bookcases, doors, light fixtures, wood moldings, bathroom fixtures, bannisters, doorknobs, mantels, staircases or other attached items that are removed from a home or other building.
- from a home or other building.

  (2) No antique dealer or recycler may purchase or receive used home obtains the person's signature and furnishings from a person unless the antique dealer or recycler records all of the following information:
  - (a) The person's name and address.
- (b) The person's motor vehicle operator's license number, state identification card number, military identification card number, U.S. passport number or alien registration card number.
- (c) The registration plate numbers and the color, make, model and year of the motor vehicle delivering the used home furnishings to the antique dealer or recycler.
- (d) If known by the person, the address of the home or other building from which the used home furnishings were removed.

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